

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
FINAL UTILITY ORDERS

Selected for Publication  
January 1998 Orders

January 2, 1998

ORDER INTERPRETING RCW 80.28.075 (BANDED  
RATES)

Docket No. UE-971422

*WUTC v. THE WASHINGTON  
WATER POWER CO.*

Fourth Supplemental Order

The Commission will hear and determine on the merits a regulated electric company's proposal for banded rates under RCW 80.28.075 in which it is alleged that the statutorily required "effective competition from energy suppliers not regulated by the utilities and transportation commission" is competition from a consumer-owned electric company.

RCW 80.28.075 addresses fuel-on-fuel competition where the alleged competition comes from a service provider not regulated by the Commission regardless of whether the alleged competitor markets its product pursuant to a published tariff.

January 8, 1998

ORDER CLARIFYING THE SECOND  
SUPPLEMENTAL ORDER

Docket No. UT-970010

*WUTC v. U S WEST  
Communications, Inc.*

Third Supplemental Order

The Commission will consider competition onset costs to determine just and reasonable rates for telecommunications carriers based upon all costs of providing local interconnection service and unbundled network elements consistent with Section 252(d) of the federal Telecommunications Act of 1996, 47 U.S.C. § 151 et seq. (1996).

January 16, 1998

Docket No. UT-970766

*WUTC v. U S WEST  
Communications, Inc.*

Tenth Supplemental Order

## COMMISSION DECISION AND ORDER REJECTING TARIFF REVISIONS; REQUIRING REFILING

Telecommunications companies must meet their obligation under the law to provide adequate service and to make such investment in capital and human resources as is required to achieve that end. When there is evidence of prior under investment that adversely affects the adequacy of service, the Commission may establish a means to monitor investment.

When necessary to encourage improved quality of service, the Commission may tie rate of return adjustments and incentive compensation cost recovery to service quality determinations.

The Commission will make an adjustment to annualize revenues when the average of test period revenues does not reflect properly the future relationship between revenues and expenses, but will not look outside the test period absent compelling evidence that doing so is necessary.

Absent evidence of imprudent or improper management, the Commission will not second guess the Company's workforce allocation decisions (*e.g.*, use of overtime versus hiring additional permanent or contract staff).

When necessary to help correct specific, recurring service quality problems, the Commission will impose alternative service obligations and require payment of missed appointment compensation through credits to customer accounts.

January 16, 1998

## ORDER REJECTING TARIFF FILING

Docket No. UT-961638

*WUTC v. U S WEST  
Communications, Inc.*

Fourth Supplemental Order

The Commission may decline to change its longstanding position on a critical public policy issues of significant magnitude, breadth, and industry-wide impact in an adjudication involving a single company's tariff filing. The Commission may refer such an issue to rulemaking or other process garnering broad involvement.

January 22, 1998

## ORDER REJECTING TARIFF REVISIONS; REQUIRING REFILING

Docket No. UT-970066

*WUTC v. THE TOLEDO  
TELEPHONE CO., INC.*

Third Supplemental Order

Because of changes wrought by the Telecommunications Act of 1996, 47 U.S.C. § 151 et seq (1996), in addition to cost information, the Commission uses a price test based upon imputation principles to determine whether the rate an incumbent local exchange company (LEC) charges competitive pay phone providers is competitively fair. Failure to provide adequate cost data, and to show competitive fairness via imputation analysis, will cause the Commission to reject a tariff filing for pay phone line rates.

January 23, 1998

## ORDER DENYING OBJECTION TO FIRST SUPPLEMENTAL ORDER - PREHEARING CONFERENCE ORDER

Docket No. 971515

In the Matter of Determining the  
Proper Classification of:  
*UNITED & INFORMED  
CITIZEN ADVOCATES  
NETWORK*

Third Supplemental Order

The Commission may decline to reassign a proceeding assigned to one of its administrative law judges unless a proper, legal basis for disqualification is established, or other reasons consistent with Commission authority and internal practices require a change.